

HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 22nd Legislative Day on Wednesday, February 22, at 10:00 am.
* 10 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

TUESDAY, FEBRUARY 21, 2006

LEGISLATIVE DAY# 21

TODAY ON THE FLOOR

Speaker of the House Glenn Richardson gaveled the House into session today, at 10:00 am, for the 21st legislative day of the 2nd Session of the 148th General Assembly.

MOTION TO INSIST

HB 0246 Regarding the suspension, revocation, or refusal to grant licenses by the State Board of Pharmacy:

A pharmacy which is operated by a health maintenance organization (and licensed under Code Section 26-4-110) must abide by the certain provisions relating to selling, distributing, and delivering prescription drugs by mail. These provisions apply to an enrollee in a health benefits plan of a closed panel health maintenance organization, or its affiliates.

Authored by: Rep. David Graves

House Committee: Regulated Industries

Motion to Insist required that a Conference Committee be appointed by the Speaker. The Members of the Conference Committee are: David Graves, Ron Stephens, and Butch Parrish

DEBATE CALENDAR

HB 0535 Judicial accounting; penalties for failure to remit funds; repeal

Amends code section 15-21A-8 so as to provide that if a clerk of court fails to pay over any funds less than \$10,000.00, they are guilty of a misdemeanor and if it is over \$10,000.00, they are guilty of a felony.

Authored by: Rep. Clay Cox

Special House Rules Applied: Open

House Committee: Judiciary Non-Civil

Yea: 158 Nay: 0

HB 0832 Physician's assistants; handling of professional samples

Allows physicians' assistants to handle, order, and dispense free dosages of medicines provided by companies to patients so long as it is done so under the authority of a doctor and in accordance with existing rules and regulations.

Authored by: Rep. Tom McCall

House Special Rules Applied: Open

House Committee: Health & Human Services

Yea: 154 Nay: 0

HB 0983 Petroleum products; sale of; certain acts; prohibit

This would make it unlawful to knowingly manufacture, blend, or store for distribution in this state any gasoline containing methyl tertiary-butyl ether.

Authored by: Rep. Jill Chambers

House Special Rules Applied: Open

House Committee: Agriculture & Consumer Affairs

Yea: 154 Nay: 0

HB 1029 Property estates; time limitations; provisions

Creates a new Code section 44-6-4 that would limit the possibility of reverter – title returning to grantor – or right of entry or reentry to 50 years. If enacted, this would apply to possibilities of reverter or right of entry or reentry created prior to or after July 1, 2006.

Authored by: Rep. Larry O'Neal

House Special Rules Applied: Open

House Committee: Judiciary Non-Civil

Bill was recommitted to the Committee on Rules

HB 1055 Public schools; Internet safety policies; adopt and implement

This bill provides for the adoption and implementation of Internet safety policies in public schools and public libraries. It also defines 'Acceptable-use policy,' 'child pornography,' and 'Internet.' In addition it provides for a timetable for implementation and exceptions for certain situations.

Authored by: Rep. Mike Keown

Special House Rules Applied:

House Committee: Education

Yea: 158 Nay: 0

HB 1236 Motor vehicles; registration; place of return; amend

This bill allows for RVs and mobile homes to be registered in the county they are functionally located; meaning the county they are located in at least 184 days in a calendar year. This may not necessarily be the county of residence for the owner.

Authored by: Rep. Joe Wilkinson

Special House Rules Applied:

House Committee: Motor Vehicles

Yea: 145 Nay: 0

HB 1241 Quality Basic Education Act; eligibility conditions for student athletes; provide

This bill provides that no high school which receives funding shall participate in any way in interscholastic sports events under the authority of any athletic association that denies eligibility to a participant that participates during that school year in a national competitive event which is not sanctioned by the previously mentioned athletic association.

Authored by: Rep. Chuck Martin

Special House Rules Applied: Open

House Committee: Education

Yea: 157 Nay: 0

** The House will reconvene Wednesday, February 22 at 10:00 am for its 22nd Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules today has fixed the calendar for the 22nd Legislative Day,

Wednesday, February 22, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB0376 **Juries; exemption; caregivers of certain children**

Exempts caregivers of children who are four or younger from reporting for jury duty. Excuses a primary teacher in a home study program as defined by OCGA 20-2-690 from jury duty. House substitute requires the court to provide affidavits for the above exceptions.

Authored by: Rep. Barry Loudermilk

House Special Rules Applied: Open

House Committee: Judiciary

HB 0833 **Georgia Procurement Registry; certain bid advertisements; local governments**

This bill provides that the Georgia Procurement Registry shall be the official legal organ for advertisement of certain bid opportunities for goods and services and public works construction contracts by a municipal corporation, county, or local board of education. It requires advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry free of charge.

Authored by: Rep. John Lunsford

House Special Rules Applied: Open

House Committee: Government Affairs

HB 0881 **Dispensing opticians; apprenticeship program; amend requirements**

HB 881 would require an apprenticeship program as part of the requirement for an applicant to gain experience. The training would include a minimum of 3,500 hours of experience and instruction. The supervisor of the program will need to submit a written plan to the board for approval, and the applicant must submit a written statement of interest to qualify for the apprenticeship program.

Authored by: Rep. Jill Chambers

House Special Rules Applied: Open

House Committee: Regulated Industries

HB 0986 **Depositions; persons who are not legal U.S. residents; provisions**

Adds to exceptions for ordering witness testimony by deposition that the witness has not been lawfully admitted to the United States for permanent residency.

Authored by: Rep. John Lunsford

Special House Rules Applied: Open

House Committee: Judiciary Non-Civil

HB 1040 **Carpet samples; raw material cost; fair market valuation; definitions**

This bill defines the term 'total raw material cost' to mean the manufactured cost of carpet samples.

Supplies used in the manufacturing of the samples include binding, grommets, similar items and display devices such as racks, binders, and similar items. The fair market value of a carpet sample is equal to 21.9% of the total raw material cost.

Authored by: Rep. Roger Williams

Special House Rules Applied: Structured

House Committee: Ways & Means

HB 1097 **Outdoor advertising signs; restriction; amend**

A bill to be entitled an Act to amend Code Section 32-6-75 of the O.C.G.A., relating to restrictions on outdoor advertising signs authorized by Code Section 32-6-72 on the interstate system, primary highways, and other highways, so as to provide that no such signs may advertise the availability of certain entertainment which appeals to the prurient interest; to prohibit erecting certain signs having two faces on one visible side after a certain date; to permit certain types of non-mechanical multiple message

signs subject to certain limitations; to impose certain height limitations on erecting such outdoor advertising signs subject to certain conditions after a certain date; to provide for procedures relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Tom McCall

Special House Rules Applied: Modified Open

House Committee: Transportation

HB 1177 Dept. of Transportation; certain projects; bonding amounts; provisions

This bill will add a new subsection (e) to say that any construction contract that exceeds 300 million dollars, performance and payment bonds will be required in the amount of at least the total amount payable by the terms of the contract unless the department makes a written recommendation to the board, supported by specific findings, and the board by vote in a public approved meeting, that single bonds in such amount are not reasonably available in the surety industry. If the amount of the value of the construction portion of the contract, excluding right of way acquisition and engineering, shall be guaranteed by combinations, as determined by the board, of performance and payment bonds, letters of credit and corporate guaranties, but in no case shall such aggregate assurances be composed of less than 300 million dollars of performance and payment bonds; and equal less than 100 percent of the contractor's obligation under the construction contract, and shall be in accordance with 13-10-1 (part 4) for the purposes of Code section 13-10-61.

Authored by: Rep. Vance Smith

Special House Rules Applied: Open

House Committee: Transportation

HB 1190 State Road and Tollway Authority; collection of unpaid tolls; amend

A bill to be entitled an Act to amend Code Section 32-10-64 of the Official Code of Georgia Annotated, relating to the toll powers of the State Road and Tollway Authority, so as to modify and clarify the processes by which collection of unpaid tolls may be accomplished; to alter the fees and penalties which may be assessed for failure to pay the proper toll; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Joe Wilkinson

Special House Rules Applied: Open

House Committee: Transportation

HB 1321 Johns Creek, City of; incorporate

This bill would incorporate the City of Johns Creek in Fulton County, Georgia

Authored by: Rep. Mark Burkhalter

Special House Rules Applied: Modified Open

House Committee: Government Affairs

HB 1325 Natural gas; distribution; provisions

A bill to be entitled an Act to amend Code Section 46-4-155 of the O.C.G.A., relating to regulation of unbundled services, peaking service, customer services, and interstate capacity assets with regard to the distribution, storage, and sale of gas, so as to provide for definitions; to provide for the requirements upon which the electing distribution company shall include proposed strategic infrastructure assets in the capacity supply and strategic infrastructure plan; to provide for the information that must be filed with any capacity supply and strategic infrastructure plan; to provide that the Public Service Commission shall not in a subsequent proceeding fail to approve any long-term capacity assets and any strategic infrastructure assets which were included in a plan previously approved by the commission; to provide for cost recovery; to provide for legislative findings and declarations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Jeff Lewis

Special House Rules Applied: Open

House Committee: Public Utilities & Telecommunications

** The Committee on Rules will next meet on Wednesday, February 22 at 9:00 am to set the Debate Calendar for the 23rd Legislative Day.*

COMMITTEE ACTION REPORT

DEFENSE & VETERANS AFFAIRS

HR1364 Urging the United States Secretary of the Army to award the Presidential Unit Citation to the Georgia National Guard 48th Infantry Brigade

This legislation urges the United States Secretary of the Army to award the Presidential Unit Citation to the Georgia National Guard 48th Infantry Brigade. Members of the Georgia National 48th Infantry Brigade have been engaged in combat operations in some of the most dangerous places in Iraq. The Presidential Unit Citation is awarded to a unit of the Armed Forces of the United States for heroism in action against an armed enemy.

Authored By: Rep. Chuck Sims

Committee Action: Do Pass

ETHICS

HB1141 Lobbyists; payment of registration; provide

This bill removes the exemption that non-profit organizations enjoy from having to pay for lobbyist registration. It also instructs the Legislative Fiscal Office to charge an appropriate amount for registration to cover the administrative costs of registering lobbyists, after consulting the Ethics Commission.

Authored by: Rep. John Heard

Committee Action: Do Pass by Committee Substitute

GAME, FISH, & PARKS

Committee met, but no legislative action was taken.

JUDICIARY-CIVIL

Committee met, but no legislative action was taken.

MOTOR VEHICLES

HB1004 All-terrain vehicles; certificates of title; drivers' licenses; provisions

HB 1004 requires a tag and title to be issued for ATVs. This bill also provides for safety provisions for children under the age of 16: children under the age of 10 cannot operate ATVs on public lands; children under the age of 16 must complete a safety course, wear a helmet, be supervised, and hold a valid driver's license. Punishments for violations include impoundment and fines.

Authored By: Rep. Chuck Sims

Committee Action: Do Pass by Committee Substitute

HB1217 Disabled persons; parking permits; provide

This bill adds requirements on disabled persons parking permits by requiring that the person with the disability be the operator of or a passenger in the vehicle when such permit is being used. Further, it allows for the application of the permit via mail when accompanied by an affidavit specifying the disability and signed by a doctor.

Authored By: Rep. Jack Murphy

Committee Action: Do Pass

HB1252 Driver training schools; definitions; provide

This bill provides for definitions for "driver training course" and "commercial driver training school." Further, this bill clarifies the qualifications for a limited and temporary driver school permit, provides qualifications for commercial driver training school operators, and provides standards for business names of driver training schools.

Authored By: Rep. Tom Rice

Committee Action: Do Pass by Committee Substitute

HB1253 Drivers' licenses; certain provisions; clarify

This bill provides for reinstatement of a minor's license upon proof of graduation from high school, provides that social security numbers shall not be used on driver's licenses, provides for a suspension for violation of restrictions on a driver's license, adds a license suspension for failure to appear in a federal court in this state, and clarifies the habitual violator permit eligibility provisions. Further, this bill provides for confidentiality of medical reports used for medical revocation of a driver's license, changes the times relating to restoring full driving privileges from a limited driving permit, and clarifies that trafficking is grounds for a driver's license

Authored By: Rep. Tom Rice

Committee Action: Do Pass by Committee Substitute

SPECIAL RULES

HR1395 A resolution honoring Wiley T. Nixon

A resolution honoring Wiley T. Nixon and naming the Wiley T. Nixon Capitol Post Office in his honor.

Authored By: Rep. Barry Loudermilk

Committee Action: Do Pass

WAYS & MEANS

HB1187 Appraisal; county staff; change certain provisions

This bill creates an additional county classification for appraisal staff, Class IX, for counties having 275,000 or more parcels of real property. Class IX allows for the same amount of staff as Class VIII which is 2 Appraisers IV, 8 Appraisers III, 5 Appraisers II, and 5 Appraisers I. This bill further expands on how such staff should be hired. Current law allows appraisal staff for the other 8 classifications to be hired by the board of tax assessors pending adoption of an ordinance or resolution. The Class IX provision allows such staff members under this classification to be hired without ordinance or resolution by the county manager. If the members of the board of tax assessors fail to comply with the Class IX employment provision, such action shall be construed as grounds for removal from the board. This bill also al-

lows the members of the board of assessors to be nominated by the chairperson of the county board of commissioners subject to the county board's approval. The members of the board of assessors shall serve 4 year terms and shall not be eligible for more than two terms of office. Further, once the 4 year term has been served, such member shall not serve for additional time if their successor has not been appointed and qualified.

Authored By: Rep. Wendell Willard

Committee Action: Do Pass by Committee Substitute

HB1219 Sales and use tax exemption; school supplies; energy eff. products; provide

This bill provides for a Sales Tax Holiday from July 13, 2006 through July 16, 2006 on school supplies up to \$20; clothing and footwear with a sales price of \$100 or less; personal computers and equipment with a sales price of \$1500 or less, and purchases of energy efficient products with a sales price of \$1500 or less per product for noncommercial or personal use. The bill further expands the list of energy efficient products by including windows and doors.

Authored By: Rep. Lynn Smith

Committee Action: Do Pass by Committee Substitute

HB1272 Sales and use tax exemption; nonprofit volunteer health clinics; provide

This bill provides for a sales tax exemption on sales of tangible personal property to nonprofit volunteer health clinics.

Authored by: Rep. Tom Graves

Committee Action: Do Pass by Committee Substitute

HB1293 Conservation use covenant; breach; provide for additional acts

This bill allows for a reduced penalty due to a breach of covenant only if the owner elects to discontinue the property in its qualifying use. To be granted this reduced penalty, the owner of such property must have entered into the covenant for the first time after reaching age 67 and has either owned the property for at least 15 years or inherited the property and has kept the property in qualifying use under the covenant for at least 3 years. The penalty for such a breach is the amount by which the current use assessment has reduced taxes otherwise due for the year in which the breach occurred.

Authored By: Rep. Richard Royal

Committee Action: Do Pass

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE BROADCAST SCHEDULE

9:00 am Committee on Rules
341 CAP

1:00 pm Industrial Relations
506 CLOB

2:00 pm Appropriations—Education

515 CLOB

2:00 pm Children & Youth
606 CLOB

3:00 pm Joint House/Senate Transportation
341 CAP

3:30 pm Appropriations-Economic Development
415 CLOB

3:30 pm Public Safety
606 CLOB

3:30 pm Regulated Industries
515 CLOB

4:00 pm Insurance
506 CLOB

4:00 pm Special Committee on Civil Justice Reform
406 CLOB

** To view these committee meetings, please visit the Georgia Legislative Network webpage at www.legis.ga.gov on the Georgia House of Representatives website.*

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